

BUTTE NEWS. OF UNUSUAL INTEREST

**James A. Murray's Suit Against
Attorney George Haldorn.**

COUNTER CHARGES MADE

**The Attorney Puts in a Bill for \$27,129.
He Gives an Explanation of the
Professional Services He Ren-
dered Mr. Murray.**

A case with more than the usual interest that attaches to civil suits is on trial before a jury in Judge Lindsay's court. The plaintiff in the case is James A. Murray, who sued George Haldorn, the attorney, for \$27,129. Haldorn, the attorney, for \$27,129. Haldorn, the attorney, for \$27,129.

Mr. Murray was represented by E. S. Booth and Chancellor O'Donnell and John F. Forbis appeared for Mr. Haldorn. The jury selected was composed of John Mooney, M. H. Sanders, T. Bonnette, Jacob Oenbrun, W. H. Hendricks, Joseph Nadau, Peter Ward, Howard C. Holland, M. H. Sanders, William Bailey, John F. Ope and John Hawks.

The defendant having admitted all the claims of the plaintiff the court ruled that he had the burden of proof and the opening and closing of the case. Mr. Haldorn was the first witness and he testified that for two years prior to the execution of the note he had been acting as Mr. Murray's attorney, beginning with the Maud S. mining contest in 1890, and for services in which case he charged \$400, though he thought they were worth \$600. At the time the note was given he had an asset, he claimed, of \$3,100, which amount was to draw the same rate of interest named in the note. The remainder of the \$27,000 counter claim was earned between that date and some time in 1895, said Mr. Haldorn. "certain matters occurred and I ceased to act as his attorney." The witness claimed \$500 for assisting in the prosecution of Kelly, Decey and Hickey, who were under arrest and suspicion for the murder of W. J. Penrose. He said he assisted in the prosecution at the request of Mr. Murray, although he had already been employed by the city of Butte, the county commissioners and the Sons of St. George.

Mr. Murray was in California at the time of the murder, but he returned about a month afterward, "and," said Mr. Haldorn, "manifested the most extreme interest in discovering the assassin. For a week he was at my house every night, because he did not want to come to my office, as I was so closely connected with the prosecution. He told me to stop at nothing to find and prosecute the murderer. The witness said he was in the case almost continuously for five months and was daily in attendance at the preliminary hearing, which lasted 42 days, and remained with the case until it was dismissed in Deer Lodge county, where it had been taken on a change of venue. Mr. Haldorn thought \$500 would be a mere pittance to charge Mr. Murray for that case.

"He had a private motive for pushing the case," said Mr. Haldorn, "but that is a professional secret and I will not divulge it unless he wishes me to." As Mr. Murray's private motives had nothing to do with the case, the witness was not asked to "divulge the professional secret."

Mr. Haldorn proceeded to enumerate 40 different counter claims he had against Mr. Murray, some of which had been admitted by the latter in his pleadings. Mr. Haldorn wanted \$200 for bringing an attachment against John Brannigan and Fred Caplice, involving \$17,000 or \$18,000, and which, he claimed, resulted in Mr. Murray getting his money.

Another big claim was for securing the payment of royalties from "five Cornishmen" who had a lease on the Estrella mine. Mr. Haldorn, in telling of his services in that connection, made the admission that they were not strictly honorable and for that reason he thought they should be well paid for. According to his testimony, it seems that the "five Cornishmen" had a lease on the Estrella, but there had been no provision for the payment of royalties, and as they were taking out a lot of rich ore Mr. Murray wanted to secure royalties, so he requested Mr. Haldorn to call at the side door of his bank one Sunday and enter in a rough way and make a remark something about, "Well, this has got to be settled today, and I won't wait any longer." The "five Cornishmen" were present when Mr. Haldorn entered the bank and made that play. He did not know what scheme Mr. Murray had, but understood it was some kind of a bluff, for subsequently, while on a trip to Alaska, Mr. Murray showed Mr. Haldorn a bunch of checks for \$10,000 which he said were the results of that little Sunday affair in the bank.

"I am not proud of the work I did," said Mr. Haldorn, "but having done it I think I am entitled to pay." "How much were your services worth in that case?" asked Mr. Forbis.

"That kind of work ought to be pretty well paid for," replied the witness, "and I think \$1,000 is little enough." Mr. Haldorn took occasion to remark at that time he and Mr. Murray were very intimate friends, "too intimate in fact." The witness enumerated a number of small claims, some of which were denied by Mr. Murray and in others the amount of fees were disputed. One item was for \$500 for advising Mr. Murray relative to the liability of non-resident mortgagors. Mr. Haldorn explained that case in this way: One day Mr. Murray came to him in a very excited state and said he had not been treated fairly by the county assessor and he wanted to know if he could not transfer his mortgages to a non-resident and in that way escape taxation on them. Haldorn at first was of the opinion that it could not be done, but he spent a week looking up the law on the subject and made a trip to Helena to consult the law library there. He was not certain then as to the question, but told Mr. Murray that it was worth the effort anyway, and Mr. Murray afterwards told him that he had made the assignment of about \$4,000 worth of mortgages to Timothy Murray, a brother or cousin, residing in Canada. Subsequently Mr. Haldorn brought foreclosure suits on some of the mortgages in the name of Timothy Murray.

"Mr. Murray had never paid me a penny, and he had not even given me a theater ticket."

In a mining suit of Reins against Murray, Mr. Haldorn put in two months taking testimony and preparing the case, for which he charged \$1,500, and Mr. Murray allowed him \$500.

"That is less than swamper's wages in a saloon," said Mr. Haldorn. Mr. Haldorn also charged \$100 for some work and advice he gave Mr. Murray in regard to his investment in the Java village, into which he had put \$12,000. E. N. Dickinson of the Union Pacific was also interested in the village, but the investment turned out a failure and Mr. Murray said he never got a dollar of his investment back.

Another charge was \$1,000 for assisting Mr. Murray in trying to get a concession from the government to put water on the Indian reservation near Pocatello, Idaho, but he was unsuccessful and the concession went to a company in which W. H. Kenyon was interested. Mr. Haldorn said he had had no idea of making charges for such services until Mr. Murray sued him and attached his house, then he thought he might just as well have all he could get out of it. He thought, however, that \$1,000 for the service in the water case was excessive and that \$500 would be nearer right. He asked a fee of \$200 for his services in a suit against the Butte Water company and said that if he had put in a bill at that time for \$500 he would doubtless have been paid it.

"You were too slow," said Mr. Forbis. "Yes, I realize that now, and have realized it for six years." Mr. Haldorn told about a fee of \$100 he charged for drawing up a mortgage on the horses, Montana and Nevada, owned by Hugh Kirkendall, who needed the money to take the horses to Chicago during the world's fair. Mr. Haldorn said Mr. Murray and Mr. Kirkendall were to fix up a jobbed race in Chicago and make a clean-up, but the scheme fell through. Mr. Murray then wanted his money back and he had Mr. Haldorn run in another bluff on Kirkendall and the result was that Mr. Murray got his money back.

The witness testified that at the time Mr. Murray had his suit against P. A. Heinze pending in court he assisted him a great deal in looking up the jury venire, learning the politics, religion and nationalities of the jurors and determining who was friendly and unfriendly to Mr. Murray. Charles Schmidt, representing Mr. Heinze, wanted to employ Mr. Haldorn, but Mr. Murray did not want to consider should he go over to the other side and he therefore refrained from doing so and for that and the work he did in the case he wanted \$1,500, which he thought was little enough. After the case went against Mr. Murray the latter went to Mr. Haldorn's office and the scene there, according to the witness, was "extremely pathetic." Mr. Murray said he was convinced that the jury had been bought and he wanted Mr. Haldorn to go to work and ferret out the matter. Mr. Haldorn worked on the matter for a long time and got one affidavit from one of the jurors, but he backed out at the last moment and would not sign it.

Mr. Haldorn related some circumstances relative to the suit of the McNamara estate against Mr. Murray, an action for \$10,000 for alleged to have been taken from the Pullman through workings in the Estrella. In this case, according to Mr. Haldorn's testimony, another bluff was made by Mr. Murray, bringing a counter suit for \$15,000, alleging that the amount of one had been taken from the Estrella vein through the Pullman. Mr. Haldorn said it was an utter impossibility that one could have been taken from the Estrella through the Pullman and he told Mr. Murray that he did not have a ghost of a show on a counter claim, but Mr. Murray signed the complaint and swore to it. Another bluff was run in on Mrs. McNamara and she was persuaded to compromise the case and pay Mr. Murray \$500 for his attorney's fee, which amount was turned over to Mr. Haldorn, but the latter had to give half of it to the agent who brought about the settlement. Mr. Haldorn said \$10,000 would have been a reasonable fee for getting Mr. Murray out of that case.

The cross-examination was conducted by Mr. Haldorn's old particular friend, Lawyer O'Donnell. The examination brought out the fact that Mr. Haldorn never intended to charge for much of the services rendered Mr. Murray until the latter brought his suit, and many of the entries made on his account book were made after the suit had been instituted, and some of the entries were changed. Mr. Haldorn proved himself a good witness and demonstrated that his ability to get arguments into his testimony was equalled only by his ability to testify to an argument. O'Donnell wanted to know if Mr. Haldorn had ever had any experience in mining cases prior to his connection with the Maud S. case. Mr. Haldorn said his experience had been very extensive. In reply to questions relative to his connection with the Penrose case, he said that the Sons of St. George had promised to pay him \$2,500 and he accepted \$2,250 in full payment. The city agreed to pay him \$1,500 and he got \$1,250 and the county promised to pay him \$1,500 and also compromised on \$1,250. In addition to these sums he wanted \$500 from Mr. Murray. Mr. Haldorn again referred to Mr. Murray's alleged private motive and offered to tell about it. "Well, let us have it," said O'Donnell.

Mr. Haldorn grasped quickly at the opportunity. "One of the saddest stories born of events connected with the Klondike gold discoveries is that of John Albersen of Nortonville, 12 miles west of Atchison, Kan. Mr. Albersen was a carpenter. In the fall of 1894 the family consisted of husband, wife and two children. The two children died of scarlet fever in quick succession. Work became scarce in his neighborhood and after providing as well as possible for the comfort of his wife, Mr. Albersen started West in search of employment. He finally reached Seattle in 1895 and from there drifted to the Klondike region. He wrote to his wife apprising her of his contemplated Alaskan journey. He told her that it would possibly be a long time before she would hear from him again, but bade her be of good cheer, and as he was in good health, hopeful and confident, predicted a happy return home. He finally followed their long, enforced separation.

During the time Mr. Albersen was in the Klondike he had but one opportunity to write to his wife. The letter, which told of his good health, notwithstanding many hardships and privations, and of the fact that he was doing well and would have a competency by the spring of 1897, when he would return home, was intrusted to a returning miner. This miner met with many obstacles on his homeward journey and was delayed at many places, so that the letter was not received until May of the present year. It was a message of glad tidings and of great joy to the lonely wife. During the husband's long absence she had a severe struggle and finally with a broken heart and not been for kind neighbors she would have become a public charge.

IT HASN'T MUCH MERIT

**Wharton Insists That Main
Street Is Too Steep.**

A COMPARISON OF GRADES

**The City Engineer Figures by Blocks.
Loss Incline in Two Out of Three
on Main Street Than on Wy-
oming Street.**

That there is not much merit to Mr. Wharton's contention that he cannot run his line down Main street owing to the steepness of the grade is shown by a comparison of the grades on Main street, where most of the business men want the line to run, and on Wyoming street, where Mr. Wharton insists that the line shall run.

The grade from Quartz to Granite street, on Main, as given by City Engineer Blackford yesterday, is 6.90 per cent. The grade on Wyoming street, from Quartz to Granite, is 6.30 per cent. The difference in favor of the Wyoming grade is six-tenths of one per cent.

The grade on Main street, from Granite to Broadway, is 6.60 per cent. The grade on Wyoming street, from Granite to Broadway, is 6.70 per cent. In this block, therefore, advantage is in favor of Main street to the extent of one-tenth of one per cent.

The grade on Main street, from Broadway to Park street, is 6.70 per cent. The grade on Wyoming street, from Broadway to Park, is 7.50 per cent. The difference in favor of the Main street grade is eight-tenths of one per cent.

It will be seen from these figures that in two of the three blocks the grade is lighter on Main street than on Wyoming. In the one block in which the Wyoming street grade is less than that of Main street the difference is only about one-half of one per cent.

This one block on Main street, being from Granite to Quartz, has a grade of 6.80 per cent. The steepest grade on Wyoming street, from Granite to Broadway to Park, is 7.50 per cent. It will therefore be seen that the steepest grade on Main street is six-tenths of one per cent lighter than the steepest grade on Wyoming street. It is apparent, from these figures, that a trolley car which can run down the grade of Wyoming street can, with less danger, run down Main street's grade.

Union Family Theater
Has tickets on sale at Gallagher & Co.'s drug store.

BUSY DAUGHTERS OF DIXIE.
Mrs. King Owns a Ranch of 2,000 Square Miles.

Mrs. Richard King of Texas is probably the richest woman in the United States, not even excepting Mrs. Betty Brown, says the New York Tribune. Her wealth was partly inherited from her father, a pioneer Presbyterian clergyman, the first who ever went, staff and Bible in hand, to preach the gospel to the Indians and mixed races that peopled the vast domain destined to hold sway as a landed proprietor.

Mrs. King is a widow, and her landed estates in Southern Texas amount to 1,250,000 acres, or about 2,000 square miles. The ranch on which she resides is the largest in the world. It is called "The Santa Gertrudes." In the center of it, 12 miles from her front gate, is Mrs. King's home, a central chateau, looming up like a baronial castle on the slight eminence. All around it are the pretty homes of dependents, surrounded by well tilled fields and gardens.

The 200,000 cattle, of improved and imported breeds, and all sheep within the Santa Gertrudes ranch, belong to Mrs. King. The current expenses of the ranch reach \$100,000 a year. Three hundred cowboys are in her employ, for whom she keeps 1,200 miles of Corpus Christi. Long trains from that city now carry Mrs. King's cattle to the East.

The 2,000 square miles of Mrs. King's territory are bounded on the north by Corpus Christi bay. Forty miles of the coast along to the San Gertrudes ranch. The barbed wire fences on the land side of the estate extend 300 miles. For every 20 miles of fencing a superintendant is employed to see that no break is made, and he has several assistants.

Part of every year Mrs. King lives in Corpus Christi, where she has built a palace in which is found every modern appliance for comfort, domestic economy, luxury and for the gratification of taste in art and literature. Another remarkable Texas woman, Mrs. Elizabeth Brooks, in a volume intended for private circulation only, and entitled "Prominent Women of Texas," gives some of the facts in the above sketch, and others not of quite so much interest to the general reader.

Gold to a Dying Wife.
From the Chicago Chronicle.

One of the saddest stories born of events connected with the Klondike gold discoveries is that of John Albersen of Nortonville, 12 miles west of Atchison, Kan. Mr. Albersen was a carpenter. In the fall of 1894 the family consisted of husband, wife and two children. The two children died of scarlet fever in quick succession. Work became scarce in his neighborhood and after providing as well as possible for the comfort of his wife, Mr. Albersen started West in search of employment. He finally reached Seattle in 1895 and from there drifted to the Klondike region. He wrote to his wife apprising her of his contemplated Alaskan journey. He told her that it would possibly be a long time before she would hear from him again, but bade her be of good cheer, and as he was in good health, hopeful and confident, predicted a happy return home. He finally followed their long, enforced separation.

purchased a ticket for the first east-bound train. Just before starting on his homeward trip he telegraphed his wife of his safe arrival at San Francisco, of his good health and good fortune, and that in a few days they would be reunited. At several stations he telegraphed her of his progress toward home. His last message was from Topeka, only 40 miles from home. That dispatch read like this: "Will be home at supper. Kill the fattest calf." John Albersen reached the Nortonville depot just at the close of day. Without casting a glance at those upon the platform and without being recognized, he hurriedly by any one, he hurried down the street to his home. He was met at the door by a neighbor woman, who pointed to a bed within a room. There lay his wife, pale and weak and already within the shadow of death. Their eyes met in mutual recognition for a moment. There was one brief embrace and when John Albersen once more lifted his head and looked upon the face of his wife she was dead.

DIPLOMACY.
The Astute Mayor Knew How to Help Along His Own Town.

From the Washington Star.
A number of indignant citizens had filed into the office of the mayor of a small but progressive town.

"We called," said the spokesman of the party, "to see about your announcement that you would fight to the bitter end the proposal of those two railroad companies to lay tracks so as to connect."

"Well," was the reply, "what of it?" "You don't deny saying it, then?" "Certainly not."

"And yet you call yourself a wide-awake man, competent to look after the interests of an ambitious community like this?" "I am doing my best to deserve approval."

"Don't you realize that the junction of those two roads is one of the best things that could happen to this city?" "Certainly."

"And yet you are doing your best to stop it?" The mayor reflected for a few minutes, and then said:

"If it's nothing detrimental to the city's interests."

Well, I am just as anxious to have that work done as you are. But you know how they usually go about such things. If we let them alone they'll begin work about the last of November, leave things torn up all winter and not finish before next summer is half over. Now, if they have really determined to make this improvement, my saying I disapprove of it won't change that. But it will have one effect, I'll put them on their mettle. They'll get together a gang of men some night and push the job through so fast that there won't be any interruption of traffic whatever."

Joan Ingelow's personal estate amounted to only \$30,000 at her death.

AMUSEMENTS.
MACUIRE'S OPERA HOUSE
John Maguire, Manager.

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Black All-Wool Beaver, single-breasted, fly fronts, Overcoats, with velvet collars. All sizes.

At \$15 Each
Blue and black Chinchilla single-breasted coats; fly fronts; piped edges; silk velvet collar. All sizes.

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Blue and black Kerseys, Brown and Tan Meltons, all wool, single-breasted. Fly fronts. All sizes. Each coat well tailored.

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Fine Kerseys, Meltons and Patent Beavers, in black, blue, brown and green; silk and satin linings; wool interlining; tailor-made cuts in the noisily box and popular Lenox cuts. Regular tailor-made, stylish and well fitting garments. None better at the price.

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Irish Frieze and Chinchilla, with high storm collars; wool linings and satin facings. All sizes, \$19 to \$30.

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Fancy Cotton Overshirts, full length, eight distinct lines.

At 75c Each
Fancy Overshirts, wool and cotton mixed, full length, 19 distinct lines, and superb values.

At \$1 Each
Very Heavy Fancy Overshirts, full 36 inches long, made with double yoke, simply matchless.

At \$1.50 Each
Fancy Woolen Shirts, full length, double yoke, separate neck band and you take your pick from 25 distinct lines.

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Blue and Black Cheviot Sack Suits, single-breasted and well made; in all sizes.

At \$12 Each
Heavy, double-breasted Blue Cheviot Sack Suits; in sizes 36 to 42.

At \$12 Each
Brown Plaid Cashmere Sack Suits, strictly all wool; sizes 36 to 40.

At \$15 Each
Brown Plaid Cheviot Sack Suits, single or double-breasted vests. All sizes.

At \$15 Each
Heather Mixed Unfinished Worsted Sack Suits; heavy Italian linings; satin piped. All sizes.

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Heavy Wools Blue and Black Worsted Sack Suits; round and square cut coats made with padded shoulders and stiff fronts; sizes 36 to 42.

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